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FAX TRANSMISSION**DATE:** December 22, 2004**PTO IDENTIFIER:** Application Number 09/817691-Conf. #6886
Patent Number**Inventor:** Mark J. KOCH**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (703) 872-9306**FROM:** LAHIVE & COCKFIELD, LLP

John S. Curran

PHONE: (617) 227-7400**Attorney Dkt. #:** SMQ-028/P4921**PAGES (Including Cover Sheet):** 19**CONTENTS:** Amendment (15 pages)
Amendment Transmittal plus duplicate (2 pages)
Certificate of Transmission (1 page)

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LAHIVE & COCKFIELD, LLP
28 State Street, Boston, Massachusetts 02109
Telephone: (617) 227-7400 Facsimile: (617) 742-4214

PTO/SB/87 (08-04)

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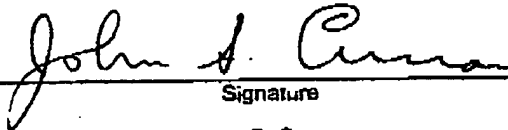
Application No. (if known) 09/817631

Attorney Docket No. SMQ-028/P4921

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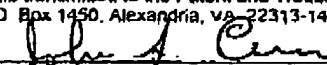
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Amendment (15 pages)

Amendment Transmittal plus duplicate (2 pages)

AMENDMENT TRANSMITTAL LETTER			Docket No. SMQ-028/P4921	
Application No. 09/817631-Conf. #6886		Filing Date March 26, 2001	Examiner M. Dinh	Art Unit 2132
Applicant(s): Mark J KOCH				
Invention: SYSTEM AND METHOD FOR STORING AND ACCESSING DIGITAL MEDIA CONTENT USING SMART CARD TECHNOLOGY				
TO THE COMMISSIONER FOR PATENTS				
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.				
CLAIMS AS AMENDED				
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate
Total Claims	29	- 29 =		x
Independent Claims	7	- 7 =		x
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>				
Other fee (please specify):				
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:				
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity <input type="checkbox"/> No additional fee is required for this amendment. <input type="checkbox"/> Please charge Deposit Account No. <u>12-0080</u> in the amount of \$ _____ A duplicate copy of this sheet is enclosed. <input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>12-0080</u> as described below. A duplicate copy of this sheet is enclosed. <input checked="" type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.				
 John S. Curran Attorney Reg. No.: 50,445 LAHIVE & COCKFIELD, LLP 28 State Street Boston, Massachusetts 02109 (617) 227-7400			Dated: <u>December 22, 2004</u>	
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9306 at MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below Dated: December 22, 2004 Signature:  (John S. Curran)				

AMENDMENT TRANSMITTAL LETTER				Docket No. SMQ-028/P4921	
Application No. 09/817631-Conf. #8886		Filing Date March 26, 2001		Examiner M. Dinh	
Applicant(s): Mark J. KOCH					
Invention: SYSTEM AND METHOD FOR STORING AND ACCESSING DIGITAL MEDIA CONTENT USING SMART CARD TECHNOLOGY					
TO THE COMMISSIONER FOR PATENTS					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
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CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	29	- 29 =		x	
Independent Claims	7	- 7 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity					
<input type="checkbox"/> No additional fee is required for this amendment.					
<input type="checkbox"/> Please charge Deposit Account No. <u>12-0080</u> in the amount of \$ <u> </u> . A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ <u> </u> to cover the filing fee is enclosed.					
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John S. Curran Attorney Reg. No.: 50,445 LAHIVE & COCKFIELD, LLP 28 State Street Boston, Massachusetts 02109 (617) 227-7400				Dated: <u>December 22, 2004</u>	
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Dated: December 22, 2004 Signature

(John S. Curran)

Docket No.: SMQ-028
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mark J. Koch

Application No.: 09/817631

Art Unit: 2132

Filed: March 26, 2001

Examiner: M. Dinh

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For: **SYSTEM AND METHOD FOR STORING
AND ACCESSING DIGITAL MEDIA
CONTENT USING SMART CARD
TECHNOLOGY**

AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

In response to the Office Action dated September 22, 2004, please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.